

REPUBLIC OF SOUTH AFRICA



**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG**

Case no: 050604-2023

⇨ In the matter between:

DEMOCRATIC ALLIANCE

First Applicant

and

PRESIDENT OF SOUTH AFRICA

First Respondent

**MINISTER OF JUSTICE AND CONSTITUTIONAL
DEVELOPMENT**

Second Respondent

**DIRECTOR GENERAL: JUSTICE AND
CONSTITUTIONAL DEVELOPMENT**

Third Respondent

**MINISTER OF INTERNATIONAL RELATIONS
AND COOPERATION**

Fourth Respondent

**DIRECTOR GENERAL: INTERNATIONAL RELATIONS
AND COOPERATIONS**

Fifth Respondent

MINISTER OF POLICE

Sixth Respondent

**NATIONAL COMMISSIONER OF THE SOUTH
AFRICAN POLICE SERVICES**

Seventh Respondent

This order has been delivered by uploading it to the court online digital database of the Gauteng Division of the High Court of South Africa, Johannesburg, and by email to the attorneys of record of the parties. The deemed date and time of the delivery is 12H00 on 18 July 2023

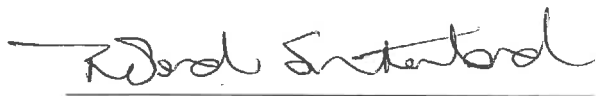
ORDER

Per Sutherland DJP et Potterill et Modiba JJ:

Having convened a preliminary hearing in this application on Monday 17 July 2023, an order is made as follows:

- [1] The answering affidavit, the replying affidavit, the letter from the state attorney of 17 July 2023 to the Applicants attorney, and the heads of argument of all parties in the matter, shall be disclosed without qualification by uploading to the digital database of the Gauteng Division of the High Court of South Africa within 2 hours of granting this order and shall be accessible to everyone.
- [2] The applications of The Media Monitoring Group and of Human Rights Watch to be joined as amici curiae is granted. The heads of argument filed by the Media Monitoring Group were considered when granting this order. Human Rights Watch may file heads of argument as indicated in paragraph 3 of this order.

- [3] Any further heads of argument from any party shall:
1. be filed by uploading to the digital database,
 2. by no later than 17h00 on Wednesday 19 July 2023,
 3. and shall, when referencing the affidavits and other documents on record, bear the caselines pagination numbers.
- [4] The applicant shall ensure the papers are fully compliant with the Practice Directives of the Gauteng Division and provide updated hard copies to each of the judges presiding in the case as soon as is practicable.
- [5] The hearing of the application shall take place on Friday 21 July 2023 in open court in the Pretoria High Court, in a courtroom to be designated.
- [6] The Media shall have access to the hearing in accordance with the practice directives of the Gauteng Division. Practical arrangements must be made with the secretary of Judge Potterill.
- [7] The costs of the hearing on 17 July 2023 shall be costs in the cause.



Sutherland DJP
Potterill J
Modiba J

Heard: 17 July 2023
Order: 18 July 2023.
Deemed handing down time: 12PM